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9
10 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 RONALD NORDSTROM,

12
13 Plaintiff,

14 vs.

15 VENTURA COUNTY SHERIFF
GEOFF DEAN,

16 Defendants.
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No. 2:15-cv-07607-DMG-FFM

DEFENDANT VENTURA COUNTY
SHERIFF GEOFF DEAN'S
APPLICATION TO FILE
DOCUMENTS UNDER SEAL

Date: December 18, 2015
Time: 9:30 a.m.
Ctvm: 7
Trial: Not Set

Judge: Hon. Dolly M. Gee
Complaint Filed: September 28, 2015

20 Defendant Ventura County Sheriff Geoff Dean (the "Sheriff") hereby
21 requests the court's leave to file certain unredacted documents under seal. The
22 Sheriff notes that page 11 of the Standard Initial and Renewal Application for
23 License to Carry a Concealed Weapon ("CCW") states in pertinent part,
24 "Notwithstanding any other provision of law and pursuant to the Public Records
25 Act (Government Code section 6250 et seq.), I understand that information
26 contained in this application may be a matter of public record." However, during
27 the application process, a CCW applicant is asked to disclose information
28 pertaining to arrests, formal charges, and convictions as well as certain medical

1 information. The Sheriff requests the court to make the threshold determination
2 of whether to seal portions of the briefing discussing arrests, formal charges,
3 convictions and certain medical information. If the court determines that Plaintiff
4 has no expectation of privacy by virtue of Plaintiff's having filed his complaint
5 and the CCW Application admonition that such information may be made public,
6 the Sheriff will promptly comply with a court order to electronically file such
7 documents.

8 At present time, the Sheriff has not electronically filed a copy of the
9 Plaintiff's CCW application or the June 23, 2015, memorandum by Sheriff
10 Detective Charles Heckman, and the Sheriff has electronically filed *redacted*
11 copies of the Declaration of Charles Heckman, the Declaration of Geoff Dean, the
12 Declaration of Marina Porche, Defendant Ventura County Sheriff Geoff Dean's
13 Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for
14 Summary Judgment, and Defendant Ventura County Sheriff Geoff Dean's
15 Statement of Genuine Disputes of Material Fact in Opposition to Plaintiff's
16 Motion for Summary Judgment.

17 The Sheriff applies to the court for leave to file under seal the following
18 documents, unless the court determines filing under seal is not warranted, and
19 directs the Sheriff to file these documents electronically:

20 1. Plaintiff Ronald Nordstrom's CCW Application, attached hereto as
21 Exhibit A, and referenced in the declaration of Charles Heckman as internal
22 Exhibit A, and referenced in the Declaration of Geoff Dean as internal Exhibit D.

23 2. June 23, 2015, memorandum prepared by Sheriff Detective Charles
24 Heckman, attached hereto as Exhibit B, and referenced in the Declaration of
25 Charles Heckman as internal Exhibit B, and referenced in the Declaration of Geoff
26 Dean as internal Exhibit E.

27 3. Unredacted copy of Declaration of Charles Heckman, attached hereto as
28 Exhibit C.

1 4. Unredacted copy of Declaration of Geoff Dean, attached hereto as
2 Exhibit D.

3 5. Unredacted copy of Declaration of Marina Porche, attached hereto as
4 Exhibit E.

5 6. Unredacted Memorandum of Points and Authorities in Opposition to
6 Plaintiff's Motion for Summary Judgment, attached hereto as Exhibit F.

7 7. Unredacted Statement of Genuine Disputes of Material Fact in
8 Opposition to Plaintiff's Motion for Summary Judgment, attached hereto as
9 Exhibit G.

10 LEROY SMITH
County Counsel, County of Ventura

11
12 Dated: November 24, 2015

By Marina Porche
MARINA PORCHE
Assistant County Counsel

14 Attorneys for Defendant Ventura County
15 Sheriff Dean
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REFERENCED EXHIBITS A THROUGH G ARE NOT
BEING ELECTRONICALLY FILED WITH THE APPLICATION
AND PROPOSED ORDER

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

The undersigned declares:

I am a resident of or employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is County Counsel's Office, 800 South Victoria Avenue, L/C # 1830, Ventura, California 93009-1830.

On November 25, 2015, I served the within **DEFENDANT VENTURA COUNTY SHERIFF GEOFF DEAN'S APPLICATION TO FILE DOCUMENTS UNDER SEAL** on:

Jonathan W. Birdt
Attorney at Law
18252 Bermuda Street
Porter Ranch, California 91326

☐ **by addressing an envelope** to the above-named person(s) as indicated above, and placing in the envelope a true copy of each of said documents, and by then placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

☒ **by an express service carrier**(a guaranteed next day delivery service), by placing a true copy of the above-stated document(s) in an envelope or package designated by said carrier and addressing it to the person(s) on whom it is to be served.

☐ **by personal service** by delivering said document(s) by hand to the above-named person(s) as indicated above in the manner provided in Code of Civil Procedure section 1011 or the Federal Rules of Civil Procedure, rule 5(b).

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on , at Ventura, California.

☒ **(FEDERAL)** I declare under penalty of perjury that I am employed in the office of the member of the bar of this court at whose direction the service was made. Executed on November 25, 2015, at Ventura, California.


PAM TISSLER